

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS  
EASTERN DIVISION**

TIMOTHY M. BROWDER, )  
Plaintiff, ) 1:05cv10464  
v. ) Judge Saris  
NATIONAL FINANCIAL SYSTEMS, INC., )  
Defendant. )

**[PROPOSED] ORDER GRANTING  
PLAINTIFF'S MOTION FOR CLASS CERTIFICATION**

This matter coming before the Court on Plaintiff Timothy M. Browder's Motion for Class Certification, the parties being represented by counsel, the Court hearing argument on the motion, IT IS HEREBY ORDERED:

1. Plaintiff's Motion for Class Certification is granted. The class is defined as follows:
  - (i) all natural persons with Massachusetts addresses, (ii) to whom National Financial Systems, Inc. sent a letter stating "Any indebtedness of \$600.00 or more may be reported to the IRS as taxable income pursuant to Internal Revenue Code 6050(p) and related federal law," (iii) on or after March 10, 2004, (iv) and prior to March 30, 2005.
2. The Court finds that Plaintiff has met the requirements of Rule 23(a)(1) and that the class is sufficiently numerous as to make joinder of all members of the class impracticable.
3. The Court finds that Plaintiff has met the requirements of Rule 23(a)(2) and that there are questions of law and fact common to all the members of the class.
4. The Court finds that Plaintiff has met the requirements of Rule 23(a)(3) and that

Plaintiff's claims are typical of the claims of the class.

5. The Court finds that Plaintiff has met the requirements of Rule 23(a)(4). The Court finds that Plaintiff will fairly and adequately protect the interests of the class. The Court appoints Edelman, Combs, Lattner & Goodwin, LLC and the Offices of Claude Lefebvre & Sons as class counsel, finding that they are experienced counsel and well-qualified to prosecute the litigation on behalf of the class.

6. The Court finds that Plaintiff has met the requirements of Rule 23(b)(3). The Court finds that questions of law or fact common to the class members predominate over any questions affecting only individual members, and that a class action is superior to other available methods for the fair and efficient adjudication of the controversy.

Date: 3/17/06

ENTER:

Honorable Patti B. Saris

(for the reasons  
stated at hearing)